

2-19-04

Atty. Dkt. No. WD0109

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Mark A. Fritzke

Title: BALL BAT HAVING AN  
INSERT WITH VARIABLE  
WALL THICKNESS

Appl. No.: 10/762,024

Filing Date January 21, 2004

<p><b>CERTIFICATE OF PRIORITY MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Priority Mail on the date indicated below and in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450</p> <p>Terence P. O'Brien (Printed Name)</p> <p><i>Terence P. O'Brien</i> (Signature)</p> <p>February 18, 2004 (Date)</p>
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**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR § 1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR § 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR § 1.97 and § 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR § 1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR § 1.97(b), within three (3) months of the filing date of the application.

**RELEVANCE OF EACH DOCUMENT**

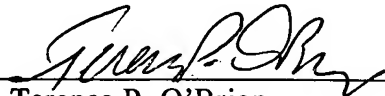
All of the U.S. Patent documents are in English.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP § 609.

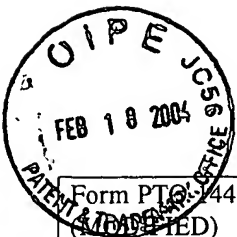
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 501959. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 501959.

Respectfully submitted,

Date 18 February 2004  
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Form PTOL-449  
(ADDED)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
WD0109SERIAL NO.  
10/762,024

## INFORMATION DISCLOSURE CITATION

APPLICANT  
Mark A. FritzkeFILING DATE  
January 21, 2004GROUP ART  
UNIT

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
		6,612,945	9/2/03	Anderson	473	566	2/11/02
		6,565,462	5/20/03	Gregg	473	457	3/29/00
		6,398,675	6/4/02	Eggiman et al.	473	566	7/3/00
		6,383,101	5/7/02	Eggiman et al.	473	567	1/24/01
		6,251,034	7/1/98	Eggiman et al.	473	567	7/1/98
		6,152,840	11/28/00	Baum	473	564	9/3/99
		6,042,493	3/28/00	Chauvin et al.	473	566	5/14/98
		5,964,673	10/12/99	MacKay, Jr.	473	566	1/27/97
		5,676,609	10/14/97	Mollebeak	473	564	4/16/96
		5,624,115	4/29/97	Baum	473	567	8/25/95
		5,593,158	1/14/97	Filice et al.	473	520	12/21/95

## FOREIGN PATENT DOCUMENTS


## OTHER DOCUMENTS

AUTHOR	TITLE	DATE

EXAMINER

DATE CONSIDERED

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Please draw a line through a citation if it is not in conformance and not considered. Please include any copy of this form with next communication to applicant.

